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duty in the manner required by this article; or being a registrar, deputy registrar, or subregistrar, shall fail, neglect, or refuse to perform his duty, as required by this article and by the instructions and direction of the State commissioner of health thereunder, shall be deemed guilty of a misdemeanor and upon conviction thereof shall for the first offense be fined not less than \$5 nor more than \$50 and for each subsequent offense not less than \$10 or more than \$100 or be imprisoned in the county jail not more than 60 days, or be both fined and imprisoned in the discretion of the court.

SEC. 393. *Enforcement.*—Each registrar is hereby charged with the strict and thorough enforcement of the provisions of this article, in his registration district, under the supervision and direction of the State commissioner of health. He shall make an immediate report to the State commissioner of health of any violation of any provision of this article coming to his knowledge, by observation or upon complaint of any person, or otherwise.

The State commissioner of health is hereby charged with the thorough and efficient execution of the provisions of this article in every part of the State, and is hereby granted supervisory power over registrars, deputy registrars, and subregistrars, to the end that all of its requirements shall be uniformly complied with. The State commissioner of health, either personally or by an accredited representative, shall have authority to investigate cases of irregularity or violation of law, and all registrars shall aid him, upon request, in such investigations. When he shall deem it necessary he shall report cases of violation of any of the provisions of this article to the district attorney of the county, with a statement of the facts and circumstances; and when any such case is reported to him by the State commissioner of health the prosecuting attorney shall forthwith initiate and promptly follow up the necessary court proceedings against the person or corporation responsible for the alleged violation of law. Upon request of the State commissioner of health the attorney general shall assist in the enforcement of the provisions of this article.

SEC. 394. *Exemptions.*—Nothing in this article shall be construed to affect, alter, or repeal laws now in force applying to the city of New York.

SEC. 3. Section 5 of such chapter as amended by chapter 557, laws of 1909, and section 22 of such chapter as amended by chapter 407, laws of 1909, chapter 639 of the laws of 1910, and chapter 279 of laws of 1911, and section 23 of such chapter as amended by chapter 407, laws of 1909, are hereby repealed.

SEC. 4. This act shall take effect on the 1st day of January, 1914.

#### NORTH DAKOTA.

#### County Boards of Health—Constitution, Powers, and Duties—County Superintendents. (Chap. 59, Act Mar. 15, 1913.)

SECTION 1. That section 259 of the Revised Codes of 1905 be amended to read as follows:

“SEC. 259. There are hereby established county boards of health composed of a president, vice president, and superintendent. The State’s attorney in each county shall be president of the county board; the county superintendent of schools shall be vice president, and he shall also appoint a superintendent of public health for the county, who shall be learned in medicine and hold a license to practice medicine and surgery within the State, and the several persons appointed shall hold their offices for one year and until their successors are elected and qualified: *Provided, however.* That whenever the State board of health has reason to believe that the county superintendent of public health is failing to perform his duties as prescribed by law, they may report the case to the board of county commissioners and the latter shall at their next meeting declare the office vacant and appoint another physician in his place for the remainder of the unexpired term.”

SEC. 2. That section 262 of the Revised Codes of 1905 be amended to read as follows:

“SEC. 262. The several county boards of health shall have power within their respective counties outside of the corporate limits of cities having a city board of health, subject to the supervisory control of the State board of health and its secretary:

“1. To supervise all matters relating to the preservation of life and health of the people, including public water supplies and sewerage system, and have supreme authority in matters of quarantine, which it may declare and enforce when none exists, and modify, relax, or abolish when it has been established.

“2. To isolate, kill, or remove any animal affected with contagious or infectious diseases that is a menace to the health of human beings.

“3. To remove or abate, or cause to be removed or abated, any public or private nuisance that may endanger the health of others.

“4. To make and enforce orders in local matters when emergency exists, or when the local board of health has neglected or refused to act with promptness or efficiency, or when such board has not been established as provided by law. In such cases the necessary expense incurred shall be paid by the county for which the services are rendered. All expenses actually and necessarily paid or incurred by the county board of health in carrying out the provisions of this article, such as livery, hotel bills, quarantine guards, automobile hire, railroad fare, stamps, etc., shall be audited by the board and certified to the county commissioners and shall be paid the same as other county expenses are paid.”

SEC. 3. That section 263 of the Revised Codes of 1905 be amended to read as follows:

“SEC. 263. *Powers and duties of the superintendent.*—The county superintendent of health shall have charge of and superintend, subject to the supervisory control of the State board of health, all matters and things mentioned in subdivisions 1, 2, 3, and 4 of section 2 of this act, throughout the county outside the corporate limits of cities. He shall exercise supervisory control of the local boards of health within his county, known as village boards of health, and township boards of health. He shall furnish, at the expense of the county board of health, all township and village clerks and all physicians within his jurisdiction with proper blanks for reporting to him all contagious and infectious diseases. He shall properly instruct the township and village clerks and the physicians within his jurisdiction on the proper methods to employ in reporting contagious diseases. He shall be charged with strict and thorough enforcement of the laws, rules, and regulations, to the end that the health of the people be conserved and protected. When it shall come to his notice or when he believes that there is a probability that a dangerous disease exists within his jurisdiction he shall make such sanitary inspection of such places as he may deem advisable, and shall take such action and enforce such rules and regulations as he may deem necessary for the protection of the public health. Whenever a village board of health or township board of health within his jurisdiction neglects or refuses to perform any of its duties as specified in this act, or refuses or neglects to execute any of the orders or regulations of the county board of health, then the superintendent of said county board of health may execute its orders and regulations by agents of its own appointment.

“He shall have full and complete control, subject to the supervisory control of the State board of health, of all matters pertaining to public health outside the limits of incorporated cities within his county. He shall decide when quarantine and disinfection are necessary for the safety of the public and shall have power to establish and perform the same. All expenses incurred in quarantining or disinfecting outside of incorporated cities shall be audited by the county board of health and paid for out of the general fund of the county. He may send out circulars permitting the use of the long-distance telephone, at the expense of the county board of health, in all cases of emergency. He may also investigate, subject to the supervisory control of

the State board of health, all public water and ice supplies which are suspected of being infected and cause them to be condemned whenever he finds it necessary. He may also investigate public milk supplies and prohibit the sale of unwholesome milk and dairy products, stop shipment of spoiled or unwholesome meat, the slaughtering of diseased animals and subsequent sale of the meat thereof. He shall enforce cleanliness in schools, inspect overcrowded, poorly ventilated, and insanitary schoolhouses, and when necessary report such cases to the board of inspection, as provided in section 80, chapter 266 of the Session Laws of 1911. He shall by the 10th day of each month report to the secretary of the State board of health, on blanks furnished for that purpose, the name and address of each case of dangerous and contagious infectious diseases occurring in his jurisdiction for the preceding month, with the name of the party reporting the same, together with a detailed statement of his official acts."

SEC. 4. That section 264 of the Revised Codes of 1905 be amended to read as follows:

"SEC. 264. The president and vice president of the board shall receive \$3 per day for every day in which they may be actually and necessarily engaged in the performance of their duties, and 5 cents per mile for every mile actually and necessarily traveled in the discharge of their duties. The county superintendent of health shall receive from \$300 to \$600 a year for his office work, which sum shall be determined annually by the county commissioners, and according to the efficiency of the health officer and the amount and character of the work performed. He shall also receive \$5 per day for every day or fraction thereof that he may be actually and necessarily engaged in the performance of his official duties, not including work confined to his office, and in addition to his expenses and other remunerations shall receive 5 cents for each mile actually and necessarily traveled in the performance of his duties."

**City Boards of Health—Meetings—Duties—Health Officer. (Chap. 59, Act Mar. 15, 1913.)**

SEC. 5. That section 267 of the Revised Codes of 1905 be amended to read as follows:

"SEC. 267. At the first meeting of the city council in April of each odd-numbered year, there shall be appointed by the mayor and confirmed by the council one health officer, who shall hold his office for two years and until his successor is appointed and qualified: *Provided, however,* That when the State board of health is satisfied that the city health officer is neglecting or refusing to perform the duties of his office in conformity with the laws, rules, and regulations which are in force governing such matters, they may report the case to the city council and the mayor shall at the next meeting declare the office vacant and appoint another physician to fill the unexpired term.

"**SUBDIVISION A. Meetings.**—The board shall meet on the first Tuesday after the first meeting of the city council in April at such hour and place as may be named by the city health officer. The board shall organize by electing from its members a president and vice president. The city health officer shall be secretary and executive officer of the board. A majority of the board shall constitute a quorum. The other regular meetings of the board shall be held on the second Tuesday in July, October, and January. Special meetings may be held at any time on call of the president and secretary.

"**SUBDIVISION B. Duties of officers of board.**—The president of each city board of health shall preside at the meetings thereof and in his absence the vice president shall perform the duties of the president. The secretary shall keep a record of all the proceedings of the board and of his official acts. He shall see that the health ordinances of the city, the rules and regulations of his board, and the rules and regulations of the State board of health and the health laws of the State are fully complied with throughout his jurisdiction, and he is hereby charged with strict enforcement of the same. He shall properly instruct the physicians within his jurisdiction in the